

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

HOLMAN-FARRAR HOLDINGS, LLC,

Plaintiff

VS.

**OLD REPUBLIC NATIONAL TITLE
INSURANCE COMPANY,**

Defendant

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C.A. NO. 1:22-cv-00937-DAE

AFFIDAVIT OF LEZLEE LILJENBERG

STATE OF TEXAS

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COUNTY OF TARRANT

“My name is Lezlee Liljenberg, I am over 18 years of age, I am competent to make this affidavit and I have personal knowledge of the matters stated herein and they are true and correct.”

“In my 40 years working in the commercial real estate industry as a selling agent, leasing agent and investor I have engaged in hundreds, if not thousands, of real estate transactions. Approximately 50% of those transactions included the issuance of, and involvement with, title insurance. During these 40 years I also worked with, and for, commercial construction ventures and developments as they were purchasing properties, with the aid of title insurance, and finalizing projects. These projects were part of my work portfolio from start-to-finish.”

“In the 1990’s I worked directly for MCI as a contract analyst and negotiator. This position required direct contact and contract development with landlords, Right-of Way Easement Specialist and dealt with the concern of the potential creation of a liens and title issues when signing these “entry” contracts. Discussions and training of how this could affect title, integrity of the property and the effect on future sales was ongoing. The properties I was dealing with were high-rise and mid-rise properties in cities such as Chicago, Detroit, Atlanta, Miami and Cleveland. I worked hand-in-hand with major property management firms during these transactions such as Cushman & Wakefield, Trammel Crow and LaSalle Properties and it was critical understand all aspects of the real estate transactions in this highly technical, modernized and innovative fiber optics field.”

“As a commodity electricity trader, I was often brought into real estate meetings and hired to assist in finalizing the purchase of electricity property contracts on behalf of large restaurant conglomerates such as Sonic, Waffle House & Braums. These interactions and representations also included projects such as concert halls, amphitheaters, and racetracks. I represented TXU and Reliant at the time. In all these projects, the purchase of property and use of appropriately issued

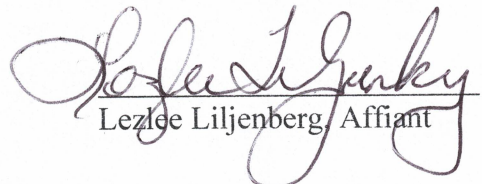
title insurance was an integral step in ensuring the property could be utilized in the intended manner.”

“These projects included working with everyone from General Contractors, Investors, Owners, Right-of-Way departments, city officials and Planning and Zoning boards. Similarly, as a member of the Arlington Parks and Recreation Board we often had to look at all areas of the purchase or donations of land when we were proposing plans to be presented to the city council. As mentioned before, understanding title searches, easements, rights-of-way, and liens were all part of the process.”

“With over 20 years in the insurance industry, I have placed homeowners insurance policies for new home purchases that included thousands of transactions. These transactions often involved title insurance and mortgage discussions. Along with these firsthand transactions my agency involvement included collaboration with title companies in teaching courses to realtors and how claims could affect the ability to get clear title. In owning and selling properties that were eventually sold to Chesapeake I was directly involved in the issues of right-of-way, easement, and title concerns and searches and what that entailed during the transactions.”

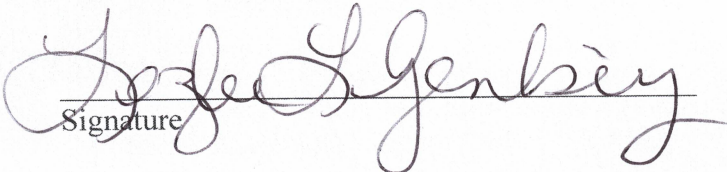
“Throughout my business career I have also taught homeowners seminars and classes that always included a discussion of title insurance and its significance in the purchasing process. The process for those homeowners’ insurance does not vary when we delve into the commercial side of the industry. It can obviously be more complicated, but the premise remains the same. The duties of the title company remain the same—and in fact may intensify according to the complicated nature of the property.”

“Based upon my experience, I believe that I can competently render an opinion on the use of title insurance in real estate transactions, the duties that title insurance companies owe to their insured to perform appropriate title searches, to hire competent counsel to remediate any mistakes made during these searches, and the standard of care that title insurance companies generally hold themselves to.”


Lezlee Liljenberg, Affiant

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 26, 2024


Signature